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August 5, 2008

VIA HAND DELIVERY

Honorable Sidney H. Stein
United States District Court for the
Southern District of New York
500 Pearl Street
New York, New York 10007-1312

MEMO ENDORSED

RE:

Travelers Property Casualty Co. of America
a/s/o Ethical Culture Fieldston School v.
Tishman Construction et al.
Docket No. 07-cv-11178
Our File No.: 6771

8/8/08
The documents are to be
turned over to the defendants
in unredacted form within
seven days. The redacted
portions are not privileged.
S. H. Stein
U.S.D.J.

Dear Judge Stein:

Our firm represents the plaintiffs, Travelers Property Casualty Co. of America, in the above referenced matter. I am contacting Your Honor in response to the July 29, 2008 correspondence of Mr. Bennett on behalf of all defendants. Defendants have requested that Your Honor compel the disclosure of four (4) redacted portions of certain investigation reports prepared by Mr. Gruebel and Terrier Claims Services (hereinafter "TERRIER"). Both Mr. Gruebel and Terrier were adjusters, either directly employed (Mr. Gruebel) or retained as an independent adjustment firm (as was the case for Terrier) by the plaintiff to conduct an investigation into the damages caused by July 7, 2005 explosion at plaintiffs' insured's campus, the subject of this litigation.

To assist the court's analysis, I have attached true and correct copies of the unredacted adjusters' reports for the court's in camera review. See Exhibits "1" through "4". The previously redacted text has been highlighted for the courts convenience. Each redaction was listed in the plaintiff's corresponding privilege log. It should be noted that the first paragraph of redaction 1 has been disclosed to the defendants and is no longer at issue.

By way of background, the plaintiff has copied and produced the claims files of Travelers Property Casualty Co. of America and the entire construction file of Ethical